

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

State of KANSAS, <i>et al.</i> , <div style="text-align: center;">Plaintiff- Appellees,</div> <div style="text-align: center;">v.</div> UNITED STATES of AMERICA, <i>et al.</i> , <div style="text-align: center;">Defendant- Appellants.</div>	<div style="text-align: center;">Case No. 24-3521</div> On appeal from the United States District Court for the District of North Dakota Case No. 1:24-cv-00150-DMT
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MOTION TO EXCEED WORD LIMIT

KRIS W. KOBACH
Attorney General of Kansas

Abhishek S. Kambli
Deputy Attorney General
Adam T. Steinhilber
Assistant Solicitor General
Office of the Kansas Attorney General
Topeka, Kansas 66612-1597
Phone: (785) 296-7109
Email: abhishek.kambli@ag.ks.gov
adam.steinhilber@ag.ks.gov
Counsel for the State of Kansas
(additional counsel on signature page)

Plaintiffs States respectfully move for permission for their contemporaneously filed Response in Opposition to Emergency Motion for an Administrative Stay and Stay Pending Appeal to exceed the word limit.

ANALYSIS

Under Federal Rule of Appellate Procedure 27(d)(2)(A), Plaintiffs' word limit for their Response is 5,200 words. Plaintiffs respectfully request an extension of that word limit up to 6,403 words. Plaintiffs request this increase of the word limit so that all parties will have a fair opportunity to present their arguments for the Court. Specifically, two primary reasons establish good cause for the requested relief.

First, Plaintiffs were afforded five days to respond to a 22-page Motion. Defendants' Motion was filed in the afternoon on Friday, December 13, 2024. Later that day, Plaintiffs notified this Court of their intention to respond by Thursday, December 19. On Monday, December 17, this Court ordered Plaintiffs to respond by Wednesday, December 18, at 2:00 P.M. Central Time. Federal Rule of Appellate Procedure 27(a)(3)(A) would normally afford Plaintiffs ten days to file such a response, which would allow time to fully formulate and condense their

arguments within the word limit. Since the normal time limit has been altered, Plaintiffs request permission to alter the normal word limit as well.

Second, each Plaintiff (nineteen total) would normally be entitled to file a separate response. *See* Fed. R. App. P. 27(a)(3)(A) (“Any party may file a response to a motion.”). In the interest of judicial efficiency, Plaintiffs intend to file only one response. Because Plaintiffs capture the views of multiple parties in one response, a modest increase in the word limit is reasonable.

Defendants take no position on Plaintiffs’ request.

CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request this Court permit their Response to exceed the word limit.

Dated: December 18, 2024

Respectfully submitted,

KRIS W. KOBACH
Attorney General of Kansas

/s/Adam T. Steinhilber
Abhishek S. Kambli
Deputy Attorney General
Adam T. Steinhilber
Assistant Solicitor General

Office of the Kansas Attorney General
Topeka, Kansas 66612-1597
Phone: (785) 296-7109
Email: abhishek.kambli@ag.ks.gov
adam.steinhilber@ag.ks.gov
Counsel for the State of Kansas

DREW H. WRIGLEY
North Dakota Attorney
General

/s/ Philip Axt

Philip Axt
Solicitor General
Office of Attorney General
600 E. Boulevard Ave Dept.
125
Bismarck, North Dakota 58505
Phone: (701) 328-2210
Email: pjaxt@nd.gov
Counsel for the State of North
Dakota

STEVE MARSHALL
Alabama Attorney General

/s/ Robert M. Overing

Robert M. Overing
Deputy Solicitor General
Office of the Attorney General
State of Alabama
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Phone: (334) 242-7300
Fax: (334) 353-8400
Email:
Robert.Overing@alabamaag.gov
Counsel for the State of Alabama

TIM GRIFFIN
Arkansas Attorney General

/s/ Nicholas J. Bronni
Nicholas J. Bronni
Solicitor General
Dylan L. Jacobs
Deputy Solicitor General
Office of the Arkansas Attorney
General
323 Center Street, Suite 200
Little Rock, AR 72201
Phone: (501) 682-2007
Email:
Nicholas.bronni@arkansasag.gov
*Counsel for the State of
Arkansas*

ASHLEY MOODY
Florida Attorney General

/s/ Natalie
Christmas
Natalie Christmas
Senior Counselor
Henry Charles Whitaker
Solicitor General
Florida Attorney General's Office
PL-01 The Capitol
Tallahassee, FL 32399
Phone: (850) 414-3300
Fax: (850) 487-2564
Email:
Natalie.christmas@myfloridalegal.com
Counsel for the State of Florida

RAÚL R. LABRADOR
Attorney General of Idaho

/s/ Alan Hurst

Alan Hurst
Solicitor General
Matthew L. Maurer
Deputy Attorney General
Sean M. Corkery
Assistant Solicitor General
Office of the Attorney General
PO Box 83720,
Boise, Idaho 83720
Phone: (208) 334-2400
Email:
Alan.Hurst@ag.idaho.gov
Matthew.Maurer@ag.idaho.gov
Jack.Corkery@ag.idaho.gov
Counsel for the State of Idaho

BRENNA BIRD
Attorney General of Iowa

/s/ Eric H. Wessan

Eric H. Wessan
Solicitor General
1305 E. Walnut Street
Des Moines, Iowa 50319
Phone: (515) 823-9117
Email:
Eric.Wessan@ag.iowa.gov
Counsel for the State of Iowa

THEODORE E. ROKITA
Attorney General of Indiana

/s/ James A. Barta

James A. Barta
Solicitor General
Indiana Attorney General's Office
IGCS – 5th Floor
302 W. Washington St.
Indianapolis, IN 46204
Phone: (317) 232-0709
Email: james.barta@atg.in.gov
Counsel for the State of Indiana

RUSSELL COLEMAN
Attorney General of Kentucky

/s/ Zachary M. Zimmerer

Matthew F. Kuhn
Solicitor General
Zachary M. Zimmerer
Assistant Attorney General
Kentucky Office of the Attorney
General
700 Capital Avenue, Suite 118
Frankfort, Kentucky
Phone: (502) 696-5617
Email: Zachary.zimmerer@ky.gov
matt.kuhn@ky.gov
*Counsel for the Commonwealth of
Kentucky*

ANDREW BAILEY
Attorney General of
Missouri

/s/ Joshua M. Divine
Joshua M. Divine
Solicitor General
Office of the Missouri Attorney
General
Supreme Court Building
207 West High Street
Jefferson City, Missouri 65102
Phone: (573) 751-8870
Email: Josh.Divine@ago.mo.gov
Counsel for the State of
Missouri

AUSTIN KNUDSEN
Attorney General of Montana

/s/ Peter M. Torstensen, Jr.
Peter M. Torstensen, Jr.
Deputy Solicitor General
Christian B. Corrigan
Solicitor General
Montana Department of Justice
215 North Sanders
P.O. Box 201401
Helena, Montana 59620-1401
Phone: (406) 444.2026
Email: peter.torstensen@mt.gov
Counsel for the State of Montana

MICHAEL T. HILGERS
Attorney General of
Nebraska

/s/ Zachary B. Pohlman
Zachary B. Pohlman
Assistant Solicitor General
Office of the Nebraska Attorney
General
2115 State Capitol
Lincoln, Nebraska 68509
Phone: (402) 471-2682
Email:
Zachary.Pohlman@Nebraska.gov
v
Counsel for the State of
Nebraska

JOHN M. FORMELLA
Attorney General of New
Hampshire

/s/ Brandon F. Chase
Brandon F. Chase
Assistant Attorney General
New Hampshire Department of
Justice
1 Granite Place – South
Concord, New Hampshire 03301
Phone: (603) 271-3650
Email: brandon.f.chase@doj.nh.gov
Counsel for the State of New
Hampshire

DAVE YOST
Attorney General of Ohio

/s/ T. Elliot Gaiser

T. Elliot Gaiser
Ohio Solicitor General
30 East Broad Street, 17th
Floor
Columbus, Ohio 43215
Phone: (614)466-8980
Fax: (614) 466-5087
Email:
thomas.gaiser@ohioago.gov
Counsel for the State of Ohio

ALAN WILSON
**Attorney General of South
Carolina**

/s/ Joseph D. Spate

Joseph D. Spate
Assistant Deputy Solicitor General
Office of the South Carolina
Attorney General
1000 Assembly Street
Columbia, South Carolina 29201
Phone: (803) 734-3371
Email: josephspate@scag.gov
*Counsel for the State of South
Carolina*

MARTY J. JACKLEY
**Attorney General of South
Dakota**

/s/ Clifton Katz

Clifton Katz
Assistant Attorney General
Office of the Attorney General
State of South Dakota
1302 E. Hwy. 14, Suite #1
Pierre, South Dakota 57501
Phone: (605) 773-3215
Email: Clifton.katz@state.sd.us
*Counsel for the State of South
Dakota*

JONATHAN SKRMETTI
**Attorney General and Reporter
of Tennessee**

/s/ Whitney D. Hermandorfer

Office of Tennessee Attorney
General
P.O. Box 20207
Nashville, Tennessee 37202
Phone: 615-741-1400
Email:
whitney.hermandorfer@ag.tn.gov
Counsel for the State of Tennessee

KEN PAXTON
Attorney General of Texas

Brent Webster
First Assistant Attorney General
Ralph Molina
Deputy First Assistant Attorney General
Austin Kinghorn
Deputy Attorney General, Legal Strategy
Ryan D. Walters
Chief, Special Litigation Division

/s/ David Bryant
David Bryant
Senior Special Counsel
Munera Al-Fuhaid
Special Counsel
Office of Attorney General of Texas
P.O. Box 12548
Austin, Texas 78711
Phone: (512) 936-1700
Email:
David.Bryant@oag.texas.gov
Munera.Al-Fuhaid@oag.texas.gov
Counsel for the State of Texas

JASON S. MIYARES
Attorney General of Virginia

/s/ Kevin M. Gallagher
Kevin M. Gallagher
Principal Deputy Solicitor General
Virginia Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
Phone: (804) 786-2071
Fax: (804) 786-1991
Email: kgallagher@oag.state.va.us
Counsel for the Commonwealth of Virginia

CERTIFICATE OF SERVICE

This is to certify that on this 18th day of December 2024, I electronically filed the above and foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/Adam T. Steinhilber
Adam T. Steinhilber
Counsel for the State of Kansas

CERTIFICATE OF COMPLIANCE

The foregoing document complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 291 words. It also complies with the typeface and type-style requirements of Federal Rule of Appellate Procedure 27(d)(1)(E) because it was prepared using Word in Century Schoolbook 14-point font, a proportionally spaced typeface.

Pursuant to Circuit Rule 28A(h)(2), I further certify that the foregoing has been scanned for viruses, and the foregoing is virus free.

/s/Adam T. Steinhilber
Adam T. Steinhilber
Counsel for the State of Kansas